

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HASAN DAVIS,

Plaintiff,

v.

MATT DURIO; RENO POLICE
DEPARTMENT,

Defendants.

Case No. 3:22-cv-00326-ART-CSD
ORDER DISMISSING AND CLOSING
CASE

Plaintiff Hasan Davis sued Defendants Reno Police Officer Matt Durio and the Reno Police Department under Section 1983 for cutting him while handcuffing him and putting ointment on the cut. (ECF No. 36.) Davis asked to voluntarily dismiss the case after watching video produced through discovery. (ECF No. 69.) Durio filed a notice of non-opposition. (ECF No. 70.) Defendant City of Reno Police Department has not been served. Federal Rule of Civil Procedure Rule 41(a)(2) permits a court dismiss an action at the plaintiff's request on terms the court considers proper. *See Westlands Water Dist. v. United States*, 100 F.3d 94, 96 (9th Cir. 1996). The Court finds that Davis's request and Defendant's non-opposition are proper terms.

The Court grants Davis's motion and dismisses the Third Amended Complaint (ECF No. 36) without prejudice under Federal Rule of Civil Procedure 41(a)(2). The Clerk of Court is directed to close the case.

DATED THIS 2nd day of April, 2025.



ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE